

EXTRA.



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ROYAL COMMISSION.

[L.S.] HENRI G. JOLY DE LOTBINIERE,
Lieutenant-Governor.

COMMISSION.

D. M. EBERTS, *Attorney-General.* { EDWARD VII., by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, KING, Defender of the Faith.

To the Honourable GEORGE ANTHONY WALKEM, of the City of Victoria, in the Province of British Columbia, one of the Justices of the Supreme Court of British Columbia; And to all to whom these presents shall come or in anywise concern:

GREETING:

WHEREAS Mr. Smith Curtis, of the City of Rossland, in the Province of British Columbia, a member of the Legislative Assembly of the said Province, in his place in the said Legislative Assembly, did, on the 19th day of March, A. D. 1902, move the following resolution:—

“Whereas Smith Curtis, member of the Legislative Assembly for the Rossland Riding of the West Kootenay Electoral District, has upon the floor of this House, on the 18th day of March, 1902, charged, ‘the Honourable James Dunsmuir, Premier of the Province of British Columbia, with negotiating to give an excessive subsidy—and without the proper safeguards which he himself has heretofore declared to be necessary in the public interest—out of Provincial moneys and lands to the Canadian Northern Railway Company in aid of its building a line of railway from Bute Inlet to Yellowhead Pass, with a view either to the sale at a greater price than could otherwise be got of the Esquimalt & Nanaimo Railway and Comox & Cape Scott Railway Companies’ railways and rights, or to the bringing of a much larger traffic over the last-mentioned railway lines, such lines being intended under such negotiations to be utilised in making Victoria City the western or Pacific Coast terminus of said Canadian Northern Railway, and the said Premier Dunsmuir being a large shareholder in the said Esquimalt & Nanaimo and Comox & Cape Scott Railway Companies, whereby the said Premier Dunsmuir, as a shareholder in said last-mentioned railway companies, would reap a large advantage:

“And also charged the said Premier Dunsmuir and his colleagues, the Hon. D. M. Eberts, Attorney-General, the Hon. W. C. Wells, Chief Commissioner of Lands and Works, and the Hon. J. D. Prentice, Finance Minister, members of the Executive Council of the Province, with grave misconduct and gross and wilful neglect of their official duty to the Province in having Mr. J. N. Greenshields appointed and continued as solicitor and accredited agent of the Province in the

above-mentioned negotiations, and in the preparation and approving of the proposed contract between the said Canadian Northern Railway Company and the Province while he was at the same time acting in a similar capacity for the said Canadian Northern Railway Company and its chief promoters, Messrs. Mackenzie & Mann, and also acting as their and said Canadian Northern Railway Company’s solicitor and agent in negotiating with and through the said Premier Dunsmuir for the purchase of the said Esquimalt & Nanaimo Railway and the said Premier Dunsmuir’s charter rights in the Comox & Cape Scott Railway Company:

“And also charged the Hon. E. G. Prior, Minister of Mines, with grave misconduct and gross and wilful neglect of his official duty to the Province after he became a Member of the Executive Council of the Province, and having a knowledge of the negotiations of said Premier Dunsmuir for the said sale of the Esquimalt & Nanaimo Railway, and of the dual capacity in which the said Greenshields had been, and was then, and is still, acting,—in agreeing to said negotiations being continued with his (the said Prior’s) active co-operation, and to the continuance of the employment of the said Greenshields to act in said negotiations on behalf of the Province.

“And also charged, lastly, that in the foregoing negotiations and matters the said Premier Dunsmuir has wilfully and grossly neglected his duty to the Province, as above set forth, and for no other apparent good reason except that he would thereby reap a personal benefit through the sale of the said Esquimalt & Nanaimo Railway and of his charter rights in the Comox & Cape Scott Railway Company to, or by the user of such lines of railway as the western connection or link of, the said Canadian Northern Railway, whereby great loss is likely to result to the Province and grave discredit is being brought upon the Legislative Assembly, and the credit and good name of the Province is being greatly injured”:

“And whereas such charges involve the honour of said Premier Dunsmuir and his colleagues in the Government, and should, in the public interest, be investigated:

“Therefore, be it Resolved, That a Select Committee of five Members of this House, to wit: Messrs. Martin, Ellison, McPhillips, Tatlow and Hawthornthwaite, be appointed to investigate the said charges, with power to said Committee to send for persons, papers, records and documents, and to examine witnesses under oath, and to report the result of such investigation to this House.”

And whereas, Mr. Charles William Digby Clifford, also a member of the said Legislative Assembly, in his place in the said Legislative Assembly, on the said 19th day of March, A.D. 1902, moved, in amendment to the above-mentioned resolution, that all the words after “Resolved” be struck out, and that the following words be inserted in lieu thereof:—“That an humble address be presented to His Honour the

Lieutenant-Governor praying him to appoint a Royal Commission to inquire into the truth or falsity of the above accusation, and (to) report”:

And whereas the said amendment was put and carried by a vote of thirty-three members for the amendment to a vote of two members against the amendment:

And whereas the said first-mentioned resolution, as amended, was then put and carried:

And whereas it is in the interests of the good government of the Province of British Columbia that full inquiry should be made into the matters contained and stated in the said above-recited resolution of the said 19th day of March, A.D. 1902, and that the evidence to be taken on the said inquiry should be taken on oath:

NOW KNOW YE that, under and by virtue and in pursuance of chapter 99 of the Revised Statutes of British Columbia, 1897, being the “Public Inquiries Act,” and of an Order of the Lieutenant-Governor in Council, approved on the 26th day of March, 1902, We, reposing especial trust and confidence in the loyalty and fidelity of you, the said George Anthony Walkem, have appointed you to be Our Commissioner for the purpose of making such inquiry as aforesaid, and We do authorise and require you as such Commissioner, with all convenient dispatch, and by and with all lawful ways and means to enter upon such inquiry, and to collect evidence, and to summon before you any parties or witnesses, and to require them to give evidence on oath, or on solemn affirmation, if they be parties entitled to affirm in civil matters, and to produce such documents and things as you may deem requisite to the full investigation and report of the statements and matters aforesaid.

And We hereby authorise and direct that the sittings of you Our Commissioner under this Our Royal Commission shall be held in the City of Victoria, in the Province of British Columbia, and We do require you

to communicate to Us through Our Provincial Secretary, and also to the Honourable the Speaker of the Legislative Assembly, as well the said evidence and any opinions which you may think fit to thereupon: And We do strictly charge and command all Our officers and all Our faithful subjects, all others, in their several places and according to their respective powers and opportunities, to in the execution of this Our Commission.

IN TESTIMONY WHEREOF We have caused the Letters to be made Patent and the Great Seal of the said Province to be hereunto affixed: WITNESS, the Honourable SIR HENRI JOLY DE LOTBINIÈRE, K.C.M.G., Lieutenant-Governor of Our said Province of British Columbia, in Our City of Victoria, in the said Province, this 26th day of March, in the first year of Our Lord one thousand nine hundred and two, and in the second year of Our Reign: By Command.

J. D. PRENTICE,
Acting Provincial Secretary

PUBLIC NOTICE is hereby given that the meeting of the said Commission will be held at the Law Courts, Bastion Square, Victoria, on Thursday, the 27th day of March, A.D. 1902, at the hour of ten o'clock in the forenoon.

By Command.

J. D. PRENTICE,
Acting Provincial Secretary

Provincial Secretary's Office,
26th March, 1902.

VICTORIA, B. C.: Printed by RICHARD WOLFENDEN,
the King's Most Excellent Majesty